



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,694	12/04/2003	Roy Hirst	MS305475.1/MSFTP492US	8657
27195 7590 09/24/2007 AMIN. TUROCY & CALVIN, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			EXAMINER LUDWIG, MATTHEW J	
			ART UNIT 2178	PAPER NUMBER
			NOTIFICATION DATE 09/24/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket1@thepatentattorneys.com
hholmes@thepatentattorneys.com
osteuball@thepatentattorneys.com

Office Action Summary	Application No. 10/727,694	Applicant(s) HIRST, ROY	
	Examiner Matthew J. Ludwig	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 7-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 7-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the Request for Continued Examination received 7/2/2007.
2. Claims 1-4 and 7-28 are currently pending in the application. Claims 5 and 6 have been cancelled. Claims 1, 19, 20, 27, and 28, are independent claims.
3. Claims 1-4 and 7-28 remain rejected under 35 U.S.C.103(a) as being unpatentable over Ferrari in view of Bailey.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-4 and 7-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrari et al., Pat. Pub. 2003/0097357 filed (10/16/2002) in view of Bailey et al., USPN 6,785,671 filed (3/17/2000).**

In reference to independent claim 1, Ferrari teaches:

Logic is built into the script to process the rules sequentially, while also keeping track of how many rules have been performed (compare to “a quality component that tracks one or more quality metrics associated with one or more items”). See page 20, [0306] through [0307].

The script uses sequential logic, and includes seven rules. The script uses the current query to process the rules. For each rule, the script includes its number in the sequence (compare

Art Unit: 2178

to “rules engine that automatically applies the quality metrics to the items to facilitate interactive quality assessments of the items”). See page 20, [0307] through [0308].

The reference provides a suggestion of content satisfying certain criteria, namely, whether the supplemental results include at least one document and whether the results are greater than some minimum threshold of results that may have been specified in the rule. See page 11, [0130] through [0131]. Furthermore, the reference provides filtering methods that analyze results in view of a threshold and extracts attributes from the content. The reference fails to explicitly state a score determined; however, Bailey provides a score through a score generator, and ranks the results based upon the calculated score. The scores are the result of an analysis of document content. The document-processing environment as taught in Bailey is similar to that of the content manipulating methods of Ferrari. Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Ferrari and Bailey before them at the time the invention was made, to modify the rules to reduce the number of documents taught by Ferrari to include the scores of Bailey, because it would have given the user a way to further categorize according to levels of significance as well as recency and popularity.

In reference to dependent claim 2, Ferrari teaches:

Specified rules may be stored in a linear array. On evaluation of a query, the array may be scanned looking for the applicable rules. See page 20, [0302] through [0305].

In reference to dependent claim 3, Ferrari teaches:

Figure 30 illustrates a script constructed for a collection of materials related to wines. The script uses sequential logic, and includes seven rules. The script uses the current query to process the rules. See page 20, [0307] through [0308].

Art Unit: 2178

In reference to dependent claim 4, Ferrari teaches:

A search and navigation system may also enhance user profiling capability and merchandising capability. The search and navigation system may maintain a profile of users based on the users' selections, including the particular paths selected to explore the collection of navigation states. The system may also infer additional information regarding the users' preferences and interests by supplementing the selection information with information regarding related documents. See page 22, [0321] through [0322].

In reference to dependent claim 7, Ferrari teaches:

Document filtering may reduce the number of documents in the query results or the content pushed by rules by restricting the documents in either or both sets to those satisfying a predicate, e.g., the documents containing a particular term specified by the rule. A document filter can be composed using Boolean operations. Navigation state filtering is analogous, only that it is applied to the set of navigational states included in the results. See page 19, [0291] through [0292].

In reference to dependent claim 8, Ferrari teaches:

The script uses sequential logic, and includes seven rules. The script uses the current query to process the rules. For each rule, the script includes its number in the sequence. See column 20, [0307] through [0308].

Art Unit: 2178

In reference to dependent claim 9 and 10, Ferrari teaches:

The logic contained within the script could be found within each of the Rules set up to process document content. See page 21, [0308] through [0309]. The rules could be looked at as a model for analyzing and applying quality information within a document.

In reference to dependent claim 11, Ferrari teaches:

The script uses sequential logic, and includes seven rules. The script uses the current query to process the rules. For each rule, the script includes its number in the sequence. See column 20, [0307] through [0308].

In reference to dependent claim 12, Ferrari teaches:

The user interface allows the user to navigate through a collection of navigation states. Each state is composed of an expression of terms and of the set of documents associated with terms in accordance with that expression.

In reference to dependent claim 13, Ferrari teaches:

The reference provides a suggestion of content satisfying certain criteria, namely, whether the supplemental results include at least one document and whether the results are greater than some minimum threshold of results that may have been specified in the rule. See page 11, [0130] through [0131]. Furthermore, the reference provides filtering methods that analyze results in view of a threshold and extracts attributes from the content. The reference fails to explicitly state a score determined; however, Bailey provides a score through a score generator, and ranks the results based upon the calculated score. The scores are the result of an analysis of document content. The document-processing environment as taught in Bailey is similar to that of the content manipulating methods of Ferrari. Therefore, it would have been

Art Unit: 2178

obvious to one of ordinary skill in the art, having the teachings of Ferrari and Bailey before them at the time the invention was made, to modify the rules to reduce the number of documents taught by Ferrari to include the scores of Bailey, because it would have given the user a way to further categorize according to levels of significance as well as recency and popularity.

In reference to dependent claim 14, Ferrari teaches:

The user interface presents users with the options available to narrow the present navigation state, preferably with relevant terms organized by attributes. See column 4, [0064] through [0065].

In reference to dependent claim 15, Ferrari teaches:

The search and navigation system operates on a collection of documents defined in a knowledge base. See page 4, [0060] through [0061].

In reference to dependent claim 16, Ferrari teaches:

A set of documents being viewed by a user at a user interface. It could be assumed that each document consists of a Globally Unique Identifier. See page 4, [0063] through [0064].

In reference to dependent claim 17, Ferrari teaches:

The user interface offers navigation options that directly link to an associated navigation state that is relevant to, but not necessarily a generalization of refinement of, the present navigation state. These links preferably infer the user's interests from the present navigation state and enable the user to crossover to a related topic. See page 6, [0079].

In reference to dependent claim 18 and 19, the claims reflect the system comprising instructions used for performing similar methods as claimed in 1. Therefore, the claims are rejected under similar rationale.

In reference to independent claim 20, Ferrari teaches:

The user may broaden the navigation state by disjunctively selecting additional terms. The user interface is operating on a collection of records relating to mutual funds. The interface presents navigation options, including a list of attributes relating to mutual funds and a list of terms for a particular attribute, such as Fund Family, under consideration by a user (compare to *“means for associating a plurality of quality metrics associated with a documentation set”*). See page 6, [0081] through [0083].

Both selected attribute-value pairs are highlighted. To reduce computational requirements, disjunctive combination of attribute-value pairs may be limited to mutually incomparable attribute-value pairs that correspond to the same attribute (compare to *“means for analyzing one or more items within the document set in view of the quality metrics”*). See page 6, [0081] through [0083].

The content presented to the user is manipulated based on information about the user's query and the current navigation state using rules specified in a rules engine (compare to *“means for determining common issues associated with the items”*) See page 6, [0081] through [0083].

The results are checked to determine whether they satisfy certain criteria, namely, whether the supplemental results include at least one document and whether the results are greater than some minimum threshold of results that may have been specified in the rule (compare to *“means for assessing the common issues and extracting features in view of a predetermined threshold level of the quality metrics”*). See page 11, [0130] through [0131].

Supplemental documents are sorted as specified in the action of the rule. The results for the original query, the results corresponding to the navigation state are also computed. The

Art Unit: 2178

documents corresponding to the current navigation state are then combined with the supplemental documents. The combined results are returned by the rules engine and eventually displayed to the user (compare to “means for automatically implementing the features to the documentation set based at least in part on the common issues that exceed the predetermined threshold level of the quality metrics”). See page 11, [0130] through [0133].

In reference to independent claim 20, the claim recites similar instructions for carrying out instructions presented in independent claims 1 and 19. Therefore, the claims are rejected under similar rationale.

In reference to dependent claim 21, Ferrari teaches:

Such a preview could include a document or a plurality of documents, or some other information that summarizes or otherwise describes the navigation state or states in the supplemental content. In an application that represents wines in its collection of materials, an action might specify the inclusion as supplemental content of a preview of the documents in the navigation state that narrows the current state by adding the term, rating 96-100. See page 11, [0132].

In reference to claims 22-28, the claims reflect similar instructions used for performing the query measurements of data found in claims 1-9 and 20. Therefore, the claims are rejected under similar rationale.

Response to Arguments

6. Applicant's arguments with respect to claims 1-28 have been considered but are not persuasive.

Applicant argues on pages 7 and 8 of the amendment that the newly formed claim language '***bulk remediation of a quality problem across disparate items***' cannot be found in the reference to Ferrari nor the combination of Ferrari/Bailey. As presently claimed, the phrase '***bulk remediation***' leaves the entire phrase open to multiple interpretations by the Examiner.

Furthermore, the phrase 'quality problem' also is broad language which could be interpreted many different ways by the Examiner. The reference to Ferrari provides a remedy for the retrieval of relevant materials/documents/information items. The word bulk is analogous to the databases that store data items for a user. Furthermore, applicant states that Ferrari does not disclose a system wherein problems in an item are identified and corrected such that corrective action is applied across other items in the documentation set to increase overall quality.

Applicant is reminded that the Examiner will consider and respond to arguments presented in the claim language, however, as presently claimed, the claim language fails to align with applicants arguments. The newly formed limitation states the following:

'bulk remediation of a quality problem across disparate items'.

The Examiner is interpreting 'remediation' as the rules to manipulate content presentation in a search and navigation system and as a means of correcting a problem across different documents. The script taught by Ferrari uses sequential logic, and includes seven rules. The script uses the current query to process the rules. For each rule, the script includes its number in the sequence (compare to "rules engine that automatically applies the quality metrics

Art Unit: 2178

to the items to facilitate interactive quality assessments of the items”). See page 20, [0307 through 0308]. The reference provides a suggestion of content satisfying certain criteria, namely, whether the supplemental results include at least one document and whether the results are greater than some minimum threshold of results that may have been specified in the rule. Finally, in another example of the execution of a rule, the rules engine could execute another query composed using the originating navigation state and include the results of that navigation state in the displayed response of the query. The invention could take the navigation state, add a specific element (bulk remediation of a quality problem) and execute another query with the augmented navigation state. See p21, [0313 through 0315].

Applicant states that Ferrari relates to a system and method that employs rules to manipulate content presentation in a search and navigation system. Furthermore, applicant states the Bailey reference relates to a system and method that facilitates viewing search results that span multiple item categories and locates web pages that include offerings for products and other types of items. The applicant has correctly stated general facts about the references. The document-processing environment as taught in the Bailey reference is similar to that of the content manipulating methods of Ferrari. The references are analogous in the art. Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Ferrari and Bailey before them at the time the invention was made, to modify the rules to reduce the number of documents taught by Ferrari and included the scores of Bailey because it would have given the user a way to further categorize content/topics according to levels of significance as well as popularity.

Art Unit: 2178

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127.

The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ML


STEPHEN HONG
SUPERVISORY PATENT EXAMINER